



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager *MLG*

Date: April 10, 2014

Initiated By: Sara Ott, Sr. Project Manager

Re: Resolution 26-14 – A Resolution of Intent to Appropriate a 0.029 Acre, More or Less Permanent Easement and a 0.029 Acre, More or Less, Temporary Easement from Mohammed Ghiath Ammar and Ester Lea Ammar, for the Property Located at 6143 Dublin Road for the Construction of a Multi-Use Path as Part of the Dublin Road South Phase 3 Project.

Background

The City of Dublin ("City") is preparing to construct a shared use path on the western side of Dublin Road between Rings Road and Waterford Drive (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers based upon appraisals to each of these landowners.

One of the landowners that the City must obtain property interests from for the construction of the Project is Mohammed Ghiath Ammar and Ester Lea Ammar (the "Grantor"). After multiple attempts to engage in negotiations with the Grantor, it appears that the City may be forced to appropriate the needed property from the Grantor.

The City is still hopeful that an amicable resolution can be reached with the Grantor; however, this Resolution begins the eminent domain process in the event that negotiations are unsuccessful.

Property to be Appropriated

The appropriation consists of the following property interests, as depicted in the map attached hereto:

Franklin County Parcel No. 273-001408	
Parcel 36	
Permanent Easement	0.029 ± acres
Temporary Easement	0.029 ± acres

Recommendation

Staff recommends approval of Resolution 26-14 as obtaining the property interests is necessary for the furtherance of this project.

Dayton Legal Blank, Inc., Form No. 30045

Resolution No.

Passed _____, 20____

Clerk of Council

EXHIBIT A

	1 of 2
CIP	08-009
PARCEL	36-P
PROJECT	DUBLIN MUP
Version Date	11/01/13

**PARCEL 36-P
DUBLIN ROAD SOUTH MULTI-USE PATH
PERPETUAL EASEMENT
FOR UTILITIES, GRADING, and a MULTI-USE PATH**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of that 0.521 acre tract as conveyed to Mohammed Ghiath Ammar and Ester Lea Ammar, by deed of record in Instrument Number 199912200311432, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for Reference at the intersection of the centerline right-of-way of Marion Street and Dublin Road; said point being at centerline station 164+98.15;

Thence North 20 deg. 43 min. 23 sec. East, a distance of 167.76 feet along the centerline right-of-way of Dublin Road to an angle point, being at centerline station 166+65.91;

Thence North 19 deg. 40 min. 16 sec. East, a distance of 130.02 feet along the centerline right-of-way of Dublin Road to the intersection of the easterly extension of the common line of said Ammar 0.521 acre tract and the 0.524 acre tract conveyed to Frederick M. Coggin and Judith W. Harvey by deed of record in Instrument Number 199904300109030; said point being at centerline station 167+95.92;

Thence North 82 deg. 15 min. 21 sec. West, a distance of 30.66 feet along the common line (and it's easterly extension) of said Ammar 0.521 acre tract and said Coggin and Harvey 0.524 acre tract, to a point in the existing westerly right-of-way line of Dublin Road; said point being 30.00 feet left of centerline station 167+89.58, and being the **Point of True Beginning** of the herein described easement;

Thence South 19 deg. 40 min. 16 sec. West, a distance of 123.40 feet across said Ammar 0.521 acre tract, and along the existing westerly right-of-way line of Dublin Road, to an angle point in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 166+66.18 (ahead);

Thence South 20 deg. 43 min. 23 sec. West, a distance of 4.75 feet across said Ammar 0.521 acre tract, and along the existing westerly right-of-way line of Dublin Road, to a point in the common line of said Ammar 0.521 acre tract and Lot 11 of the subdivision entitled SOUTH CIVIC ADDITION, as recorded in Plat Book 22, Page 71, and conveyed to JC Land Company, Ltd., by deed of record in Instrument Number 199904300108377; said point being 30.00 feet left of centerline station 166+60.88;

Thence North 78 deg. 47 min. 37 sec. West, a distance of 10.14 feet along the common line of said Ammar 0.521 acre tract and said Lot 11, to a point being 40.00 feet left of centerline station 166+59.20;

Thence North 20 deg. 43 min. 23 sec. East, a distance of 6.34 feet across said Ammar 0.521 acre tract to a point being 40.00 feet left of centerline station 166+66.27 (ahead);

Thence North 19 deg. 40 min. 16 sec. East, a distance of 121.20 feet across said Ammar 0.521 acre tract to a point in the common line of said Ammar 0.521 acre tract and said Coggin and Harvey 0.524 acre tract; said point being 40.00 feet left of centerline station 167+87.47;

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Thence South 82 deg. 15 min. 21 sec. East, a distance of 10.22 feet along the common line of said Ammar 0.521 acre tract and said Coggin and Harvey 0.524 acre tract to the **Point of Beginning**, containing 0.029 acres, more or less.

Of the above described area, 0.029 acres are contained within Franklin County Auditor's Parcel 273-001408.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), using the bearing of South 20 deg. 27 min. 34 sec. West, as derived from a GPS survey in 2008 occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 199912200311432, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



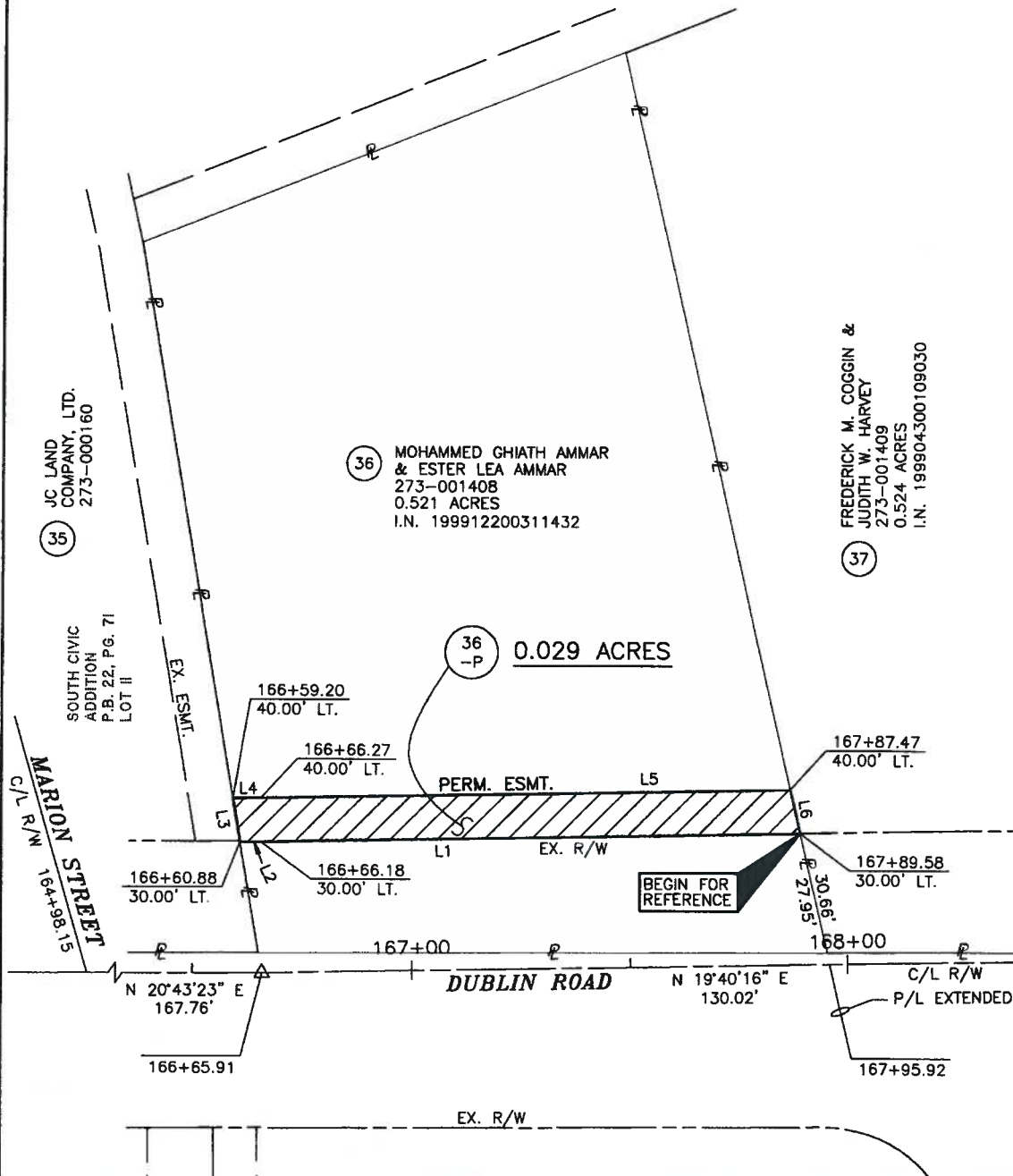
STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 11/3/13
Registered Surveyor No. 7191 Date

EXHIBIT B

MONUMENT LEGEND

- ⚡ R.R.S. FOUND
- ⊕ REBAR FOUND
- IRON PIN FOUND
- ▣ MONUMENT BOX
- 3/4" IRON PIN SET



NUMBER	DIRECTION	DISTANCE
L1	S 19°40'16" W	123.40'
L2	S 20°43'23" W	4.75'
L3	N 78°47'37" W	10.14'
L4	N 20°43'23" E	6.34'
L5	N 19°40'16" E	121.20'
L6	S 82°15'21" E	10.22'

BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), USING THE BEARING OF S 20°27'34" W AS DERIVED FROM A GPS SURVEY OCCUPYING FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".



PARCEL 36-P
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Stantec

Steven E. Rader 11/3/13
Registered Surveyor #7191 Date

EXHIBIT A

CIP	1 of 2
PARCEL	08-009
PROJECT	36-T
Version Date	DUBLIN MUP
	05/18/12

**PARCEL 36-T
DUBLIN ROAD SOUTH MULTI-USE PATH
TEMPORARY EASEMENT
TO RECONSTRUCT A DRIVE**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of that 0.521 acre tract as conveyed to Mohammed Ghiath Ammar and Ester Lea Ammar, by deed of record in Instrument Number 199912200311432, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for Reference at the intersection of the southerly line of said Ammar 0.521 acre tract with the existing westerly right-of-way line of Dublin Road, and being the northeasterly corner of Lot 11 of the South Civic Addition of record in Plat Book 22, Page 71, and being 30.00 feet left of centerline station 166+60.88;

Thence North 78 deg. 47 min. 37 sec. West, a distance of 10.14 feet along the common line of said Ammar 0.521 acre tract and said Lot 11, to the **Point of True Beginning** of the herein described parcel, being 40.00 feet left of centerline station 166+59.20;

Thence North 78 deg. 47 min. 37 sec. West, a distance of 30.21 feet along the common line of said Ammar 0.521 acre tract and said Lot 11, to a point being 69.80 feet left of centerline station 166+54.21;

Thence the following four (4) courses and distances across said Ammar 0.521 acre tract;

1. Thence North 19 deg. 40 min. 16 sec. East, a distance of 44.51 feet to a point being 70.00 feet left of centerline station 167+00.00;
2. Thence South 70 deg. 19 min. 44 sec. East, a distance of 30.00 feet to a point being 40.00 feet left of centerline station 167+00.00;
3. Thence South 19 deg. 40 min. 16 sec. West, a distance of 33.73 feet to a point being 40.00 feet left of centerline station 166+66.27;
4. Thence South 20 deg. 43 min. 23 sec. West, a distance of 6.34 feet to the **Point of True Beginning**, containing 0.029 acres, more or less.

EXHIBIT A

	2 of 2
CIP	08-009
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Of the above described area, 0.029 acres are contained within Franklin County Auditor's Parcel 273-001408.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 199912200311432, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 5/22/12
Registered Surveyor No. 7191 Date



MONUMENT LEGEND

- PARCEL 36-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



A circular seal for Steven E. Rader, a Registered Professional Surveyor in the State of Ohio. The seal features a double-lined border. Between the lines, the words "STATE OF OHIO" are at the top and "REGISTERED PROFESSIONAL SURVEYOR" are at the bottom, separated by two small stars. In the center of the seal, the name "STEVEN E. RADER" is printed above the number "7191".



Submitted

Steven E. Rider
Registered Surveyor #7191

5/22/12
Date